

**RECORD OF  
COMMUNICATION**☐ PHONE CALL ☐ DISCUSSION ☐ FIELD TRIP ☐ CONFERENCE  
☐ OTHER (SPECIFY)

(Record of item checked above)

<b>TO:</b> Sam Pole, Texas Water Commission Groundwater enforcement 512-463-8281	<b>FROM:</b> Martha McKee, 6H-ES	<b>DATE</b> 10/21/87
		<b>TIME</b>

**SUBJECT**

Lincoln Property, 100 Congress Ave, Austin, TX

TXD 981 155 971

**SUMMARY OF COMMUNICATION**

I called Mr. Pole to ascertain what they had told the property owners about this site. A meeting is scheduled next Tuesday with the responsible parties to discuss EPA jurisdictional status. These parties have previously met with TWC and the Texas Department of Health regarding the State requirements for dealing with the contamination at the site.

According to Mr. Pole, the State of Texas has determined that the waste at this site is solid, not hazardous waste. This decision was made based on the fact that the waste does not meet RCRA "characteristics" and is not from a listed waste stream. It has been classified a municipal solid waste, therefore TDH has the lead for proper disposal. However, TWC will have the lead for any liquid contamination, based on potential groundwater impacts.

The property owners have agreed to look at a closure plan for the vacant site. They believe that the contamination is under the vacant site and that the problem under the building is migration of liquids from the vacant site. The plan would be implemented over 4-5 years, with TDH supervising disposal of the waste material. TWC will review the monitoring well data to assure that contamination is not migrating further.

They have discussed the potential liability impacts of "clean closure (removal of material)" vs. "closure in place". No final closure plan has yet been submitted.

SUPERFUND  
FILE

FEB 12 1993

**CONCLUSIONS, ACTION TAKEN OR REQUIRED**

Dr. Moorman is the contact at Texas Department of Health

REORGANIZED

**INFORMATION COPIES****TO:** Seth Low, 6C-H, David Gonzalez, 6H-ES, file.

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